

**Remarks/Arguments:**

Claims 1-34 are pending and stand rejected.

By this Amendment, claims 1, 7-8, 16, 18, 22, 28 and 33-34, are amended.

No new matter is presented by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at page 29, line 19 to page 30, line 23.

**Rejection of Claims 1, 7, 14 and 15 under 35 U.S.C. §103(a)**

In the Office Action, at item 3, claims 1, 7, 14 and 15 are rejected under 35 U.S.C. §103(a) as unpatentable over Nakatsugawa et al. (U.S. Patent No. 7,136,365, hereafter referred to as Nakatsugawa) in view of Chaskar et al. (U.S. Patent Publication No. 2004/0137902, hereafter referred to as Chaskar) and Leung et al. (U.S. Patent Publication No. 7,136,365).

It is noted for the Examiner that the Publication No. associated with Leung appears to be incorrect. Applicants believe a proper Publication No. associated with the Leung reference is U.S. Patent Publication No. 2004/0213260, hereafter referred to as Leung '260.

Reconsideration is respectfully requested.

**Claim 1**

Claim 1 is directed to a mobile communication method for communication with a mobile communication apparatus when moving between a source access router apparatus and a destination access router apparatus, and recites:

... when the mobile communication apparatus determines that the source access router apparatus does not comply with the Fast Mobile IP: the mobile communication apparatus requests information to a home agent apparatus on the destination access router apparatus ...

... when the mobile communication apparatus determines that the source access router apparatus complies with the Fast Mobile IP: the mobile communication apparatus sends information to the source access router apparatus for implementing a Fast Mobile IP procedure.

That is, the mobile apparatus determines whether the source access router apparatus complies or does not comply with Fast Mobile IP. When the source access router apparatus does not comply with Fast Mobile IP, the mobile communication apparatus requests information to the home agent apparatus on the destination access router apparatus and when the source access router apparatus complies with the Fast Mobile IP, the mobile communication apparatus sends information to the source access router apparatus for implementing a Fast Mobile IP procedure.

### **Nakatsugawa Reference**

In the Office Action, at page 4, the Examiner acknowledges that Nakatsugawa fails to mention "in a first one of the operating modes: ... the mobile communication apparatus requests information to a home agent apparatus on the access router apparatus." Applicants agree with the Examiner and further submit that Nakatsugawa does not disclose or suggest compliance with Fast Mobile IP or a Fast Mobile IP procedure. Applicants submit that Fast Mobile IP refers to a method of forwarding and buffering packets between access router apparatus, as disclosed in the original specification at the paragraphs spanning pages 2 and 3 and as described in a document entitled "Fast Handover for Mobile IPv6" submitted in an Information Disclosure Statement (IDS) filed January 24, 2006. More particularly, Nakatsugawa is concerned with standard mobile IPv6 handovers. The Examiner's requested to review the document entitled "Mobility Support in IPv6," also submitted in the IDS filed January 24, 2006 which includes standard mobile IP processes and is referred to in the original specification as "Standard Mobile IP". (See the original specification at page 4, lines 9-12.)

### **Chaskar Reference**

In the Office Action, at page 4, the Examiner contends that Chaskar discloses "in a first one of the operating modes: ... the mobile communication apparatus requests information to a home agent apparatus on the access router apparatus (see paragraph 65 lines 3-4, and the home agent responds to the request, providing information on the destination access router apparatus to the mobile communication apparatus (see paragraph 65 lines 11-12))." Applicants respectfully disagree with the Examiner. At the portions cited by the Examiner, Chaskar discloses that a mobile node sends a proxy router solicitation message PrRtSol to an old access router (which corresponds to the source access router recited in claim 1). Chaskar, however, is silent regarding "the mobile communication apparatus requests information to a home agent apparatus," as required by claim 1. This is because, the processes disclosed in Chaskar relate

to standard mobile IP procedures referenced in the document entitled "Mobility Support in IPv6." As such, Chaskar does not disclose or suggest "Fast Mobile IP," as required by claim 1.

### **Leung '260 Reference**

In the Office Action, at page 5, the Examiner contends that Leung '260 discloses that "in a second one of the operating modes, the mobile communication apparatus send information to the source access router apparatus for implementing a Fast Mobile IP procedure (see paragraph 13 lines 1-10 where a method is defined to implement mobile IP functionality through AP)." Applicants respectfully disagree with the Examiner regarding this contention. The cited portion of Leung '260 discloses a proxy device may implant Mobile IP on behalf of a node that does not support Mobile IP functionality. One such proxy device is the access point (AP). The access point (AP) may be defined as the center point in an all-wireless network or serves as a connection point between a wired and a wireless network. Multiple APs can be placed throughout a facility to give user with WLAN adapters the ability to roam freely throughout an extended area while maintaining uninterrupted access to all network resources. Thus, the cited portion discloses a possibility of wider roaming by introducing a proxy device complying with Mobile IP (not Fast Mobile IP) into nodes that do not comply with mobile IP. Leung, however, is silent regarding a source access router (which is complying with Fast Mobile IP) being made to implement the Fast Mobile IP procedure.

Accordingly, it is submitted that claim 1 patentably distinguishes over Nakatsugawa, Chaskar and in further view of Leung '260 for at least the above-mentioned reasons.

### **Claims 7, 14 and 15**

Claims 7, 14 and 15, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Nakatsugawa and Chaskar in further view of Leung '260 for at least similar reasons to those of claim 1.

### **Rejection of Claims 2-6, 8-10, 16-21 and 34 under 35 U.S.C. §103(a)**

In the Office Action, at item 4, claims 2-6, 8-10, 16-21 and 34 are rejected under 35 U.S.C. §103(a) as unpatentable over Nakatsugawa in view of Chaskar and Leung '260 in further view of Leung (U.S. Patent No. 6,636,498, hereafter referred to as Leung '498).

Reconsideration is respectfully requested.

Claims 16 and 34, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Nakatsugawa in view of Chaskar and Leung '260 for at least similar reasons to those of claim 1.

Claims 2-6, 8-10 and 17-21, which include all of the limitations of claims 1 or 16 are submitted to patentably distinguish over Nakatsugawa in view of Chaskar and Leung '260 for at least the same reasons as their respective independent claims.

### **Leung '498 Reference**

The addition of Leung '498 does not overcome the deficiencies of Nakatsugawa, Chaskar and Leung '260. This is because Leung does not disclose or suggest "Fast Mobile IP," as recited in the independent claims. Instead, Leung '498 is concerned with the home agent receiving a registration request that includes a care-of-address of a mobile router and the identification of the networks associated with the mobile router such that the home agent updates a routing table to associate the identified networks with the care-of-address of the mobile router. (See Col. 3, lines 40-46.)

Accordingly, it is submitted that claims 16 and 34 patentably distinguish over Nakatsugawa, Chaskar, Leung '260 in view of Leung '498 for at least the above-mentioned reasons.

Claims 2-6, 8-10 and 17-21, which include all of the limitations of claims 1 or 16, are submitted to patentably distinguish over Nakatsugawa, Chaskar and Leung '260 in view of Leung '498 for at least the same reasons as their respective independent claims.

### **Rejection of Claims 11-13, 22-27 and 30-33 under 35 U.S.C. §103(a)**

In the Office Action, at item 5, claims 11-13, 22-27 and 30-33 are rejected under 35 U.S.C. §103(a) as unpatentable over Nakatsugawa, Chaskar, Leung '260 and Leung '498 in further view of Okajima et al. (U.S. Patent Publication No. 2004/0114554, hereafter referred to as Okajima).

Reconsideration is respectfully requested.

Claim 22, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Nakatsugawa, Chaskar and Leung '260 in view of Leung '498 for similar reasons to those regarding claim 1.

Claims 11-13, 23-27 and 30-33 which include all of the limitations of claim 1, claim 14 or claim 22, are submitted to patentably distinguish over Nakatsugawa, Chaskar and Leung '260 in view of Leung '498 for at least the same reasons as their respective independent claims.

### **Okajima Reference**

The addition of Okajima does not overcome the deficiencies of Nakatsugawa, Chaskar, Leung '260 and Leung '498. This is because, although Okajima at the paragraphs cited by the Examiner discloses a plurality of operating modes (i.e., an active mode where buffering of packets is not necessary and an idle mode in which buffering of packets is necessary), it is silent regarding "Fast Mobile IP" as required by the independent claims. More particularly, Okajima does not contemplate the determination of the compliance of the source access router apparatus with Fast Mobile IP or that the second one of the operating modes is used to implement a Fast Mobile IP procedure.

Accordingly, claims 11-13 and 30-33, which include all of the limitations of claim 1, are submitted to patentably distinguish over Nakatsugawa, Chaskar, Leung '260 and Leung '498 in view of Okajima for at least the same reasons regarding claim 1.

Claim 22, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Nakatsugawa, Chaskar, Leung '260 and Leung '498 in view of Okajima for at least similar reasons to those regarding claim 1.

Claims 23-27, which include all of the limitations of claim 22, are submitted to also patentably distinguish over Nakatsugawa, Chaskar, Leung '260 and Leung '498 in view of Okajima for at least the same reasons as claim 22.

### **Rejection of Claims 28 and 29 under 35 U.S.C. §103(a)**

In the Office Action, at item 6, claims 28 and 29 are rejected under 35 U.S.C. §103(a) as unpatentable over Nakatsugawa in view of Leung '260 in further view of Leung '498.

Reconsideration is respectfully requested.

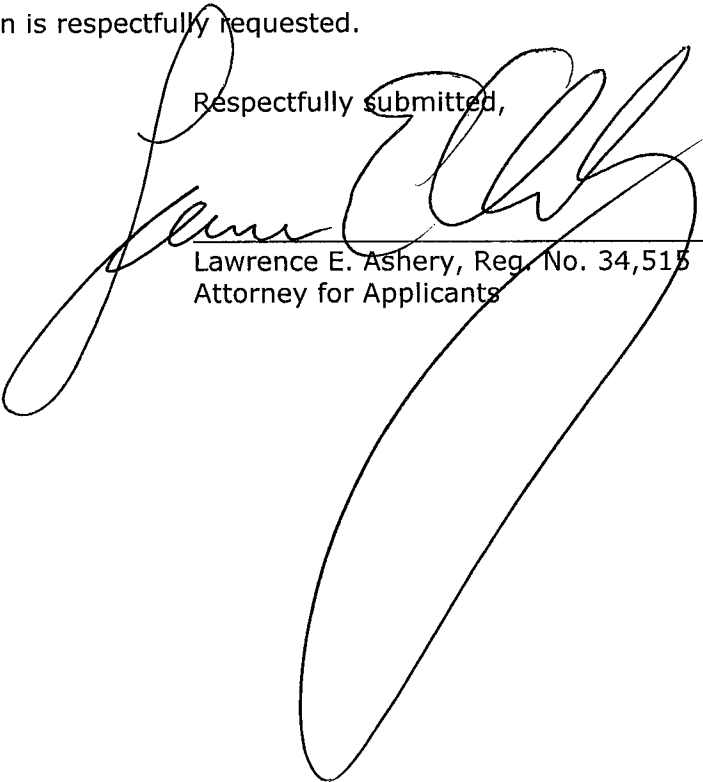
Claim 28, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Nakatsugawa in view of Leung '260 in further view of Leung '498 for at least similar reasons to those of claim 1.

Claim 29, which includes all of the limitations of claim 28, is submitted to patentably distinguish over Nakatsugawa in view of Leung '260 in further view of Leung '498 for at least the same reasons as claim 28.

### Conclusion

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

EB/nm

Dated: March 23, 2009

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

NM397808